

AMENDED IN SENATE APRIL 7, 2014

SENATE BILL

No. 1224

Introduced by Senator Correa
(~~Coauthor: Assembly Member Mansoor~~)

February 20, 2014

An act to ~~amend Section 14132.100 of the Welfare and Institutions Code~~ *add Section 12012.62 to the Government Code, relating to Medi-Cal tribal gaming, and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1224, as amended, Correa. ~~Federally qualified health centers and rural health centers.~~ *Tribal gaming: compact ratification.*

Existing federal law, the Indian Gaming Regulatory Act of 1988, provides for the negotiation and execution of tribal-gaming compacts for the purpose of authorizing certain types of gaming on Indian lands within the state. The California Constitution authorizes the Governor to negotiate and conclude compacts, subject to ratification by the Legislature. Existing law expressly ratifies a number of tribal-state gaming compacts, and amendments of tribal-state gaming compacts, between the State of California and specified Indian tribes.

The California Environmental Quality Act (CEQA) requires a lead agency to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project, as defined, that it proposes to carry out or approve that may have a significant effect on the environment, as defined, or to adopt a negative declaration if it finds that the project will not have that effect.

This bill would ratify the tribal-state gaming compact entered into between the State of California and the Karuk Tribe, executed on

December 4, 2013. The bill would provide that, in deference to tribal sovereignty, certain actions are not projects for the purposes of CEQA.

This bill would declare that it is to take effect immediately as an urgency statute.

~~Existing law provides for the Medi-Cal program, which is administered by the State Department of Health Care Services, under which qualified low-income individuals receive health care services. Existing law provides that federally qualified health center (FQHC) services and rural health clinic (RHC) services, as defined, are covered benefits under the Medi-Cal program, to be reimbursed, to the extent that federal financial participation is obtained, to providers on a per-visit basis. "Visit" is defined as a face-to-face encounter between a patient of an FQHC or RHC and specified health care professionals. Existing law allows an FQHC or RHC to apply for an adjustment to its per-visit rate based on a change in the scope of services it provides.~~

~~This bill would provide that a maximum of 2 visits, as defined, taking place on the same day at a single location shall be reimbursed when after the first visit the patient suffers illness or injury requiring additional diagnosis or treatment or the patient has a medical visit, as defined, and another health visit, as defined. The bill would require an FQHC or RHC that currently includes the cost of encounters with more than one health professional that take place on the same day at a single location as constituting a single visit for purposes of establishing its FQHC or RHC rate to, by July 1, 2015, apply for an adjustment to its per-visit rate.~~

Vote: ~~majority~~^{2/3}. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 12012.62 is added to the Government
- 2 Code, to read:
- 3 12012.62. (a) The tribal-state gaming compact entered into
- 4 in accordance with the federal Indian Gaming Regulatory Act of
- 5 1988 (18 U.S.C. Secs. 1166 to 1168, inclusive, and 25 U.S.C. Sec.
- 6 2701 et seq.) between the State of California and the Karuk Tribe,
- 7 executed on December 4, 2013, is hereby ratified.
- 8 (b) (1) In deference to tribal sovereignty, none of the following
- 9 shall be deemed a project for purposes of the California

1 *Environmental Quality Act (Division 13 (commencing with Section*
2 *21000) of the Public Resources Code):*

3 *(A) The execution of an amendment to the tribal-state gaming*
4 *compact ratified by this section.*

5 *(B) The execution of the tribal-state gaming compact ratified*
6 *by this section.*

7 *(C) The execution of an intergovernmental agreement between*
8 *a tribe and a county or city government negotiated pursuant to*
9 *the express authority of, or as expressly referenced in, the*
10 *tribal-state gaming compact ratified by this section.*

11 *(D) The execution of an intergovernmental agreement between*
12 *a tribe and the Department of Transportation negotiated pursuant*
13 *to the express authority of, or as expressly referenced in, the*
14 *tribal-state gaming compact ratified by this section.*

15 *(E) The on-reservation impacts of compliance with the terms*
16 *of the tribal-state gaming compact ratified by this section.*

17 *(F) The sale of compact assets, as defined in subdivision (a) of*
18 *Section 63048.6, or the creation of the special purpose trust*
19 *established pursuant to Section 63048.65.*

20 *(2) Except as expressly provided herein, this subdivision does*
21 *not exempt a city, county, or city and county, or the Department*
22 *of Transportation, from the requirements of the California*
23 *Environmental Quality Act.*

24 *SEC. 2. This act is an urgency statute necessary for the*
25 *immediate preservation of the public peace, health, or safety within*
26 *the meaning of Article IV of the Constitution and shall go into*
27 *immediate effect. The facts constituting the necessity are:*

28 *In order to enhance, at the earliest possible time, the economic*
29 *development, long-term stability, and self-sufficiency of the Karuk*
30 *Tribe and to protect the interests of the tribe and its members, the*
31 *surrounding community, and the California public, it is necessary*
32 *for this act to take effect immediately.*

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**All matter omitted in this version of the bill
appears in the bill as introduced in the
Senate, February 20, 2014. (JR11)**

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